

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 2:11-cv-13890

Honorable Robert H. Cleland

Magistrate Judge Mona K. Majzoub

NINE THOUSAND DOLLARS (\$9,000.00)  
IN U.S. CURRENCY,

Defendants *In Rem*.

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**STIPULATION FOR ENTRY OF CONSENT JUDGMENT  
AND FINAL ORDER OF FORFEITURE REGARDING D'JUAN DOMINKI HALL**

NOW COMES the Plaintiff, the UNITED STATES OF AMERICA, (hereinafter the "United States" or the "Government"), by and through its counsel, BARBARA L. McQUADE, United States Attorney, and TERRENCE J.L. THOMPSON, Assistant United States Attorney, and Claimant, D'JUAN DOMINKI HALL, by and through his attorneys, RANDALL P. UPSHAW and MICHAELL CREWS, and enter into this Stipulation for Entry of Consent Judgment and Final Order of Forfeiture Regarding D'Juan Dominki Hall, as evidenced by the signatures below, under the terms and conditions hereinafter set forth:

**AGREEMENT**

1. WHEREAS, the defendants *in rem* consist of the following: Nine Thousand Dollars (\$9,000.00), hereafter the "Defendant Currency."
2. WHEREAS, on September 7, 2011, the United States of America filed a forfeiture complaint against the Defendant Currency, pursuant to 21 U.S.C. §§ 881(a)(6).
3. WHEREAS, Claimant D'JUAN DOMINKI HALL timely filed a verified claim on September 19, 2011, and an answer on September 26, 2011, in response to the Plaintiff's complaint for

forfeiture and the currency subject thereto;

4. WHEREAS, Claimant D'JUAN DOMINKI HALL is aware of his respective rights in this matter and wishes to resolve this matter without further litigation, and any further expense beyond that contemplated herein; now, therefore;

IT IS HEREBY STIPULATED AND AGREED by and among the parties as follows:

5. This action is a civil *in rem* forfeiture action brought pursuant to 21 U.S.C. § 881(a)(6).

6. The Court has jurisdiction and venue over this matter pursuant to 28 U.S.C. §§ 1345 and 1355(b)(1)(A).

7. Venue is proper before this Court pursuant to 28 U.S.C. § 1391(b)(2) as a substantial part of the events giving rise to the Government's claims occurred in the Eastern District of Michigan; Venue is also proper before this Court pursuant to 28 U.S.C. § 1395(b), as the defendant *in rem* was found and seized in the Eastern District of Michigan.

8. The allegations of the Complaint for Forfeiture are well taken and the United States and its agents had reasonable cause for the seizure of the Defendant Currency and that the position of the United States in this action was and remains substantially justified. Claimant waives any claims he may have for fees and costs in connection with this matter, whether under the Civil Asset Forfeiture Reform Act of 2000, the Equal Access to Justice Act, any other statute, rule or regulation, or otherwise.

9. The parties do hereby agree to a settlement whereby Four Thousand Five Hundred Dollars (\$4,500.00) of the Defendant Currency will be **RETURNED** to Claimant D'JUAN DOMINKI HALL. The disbursement of these funds will be through the Electronic Payment System. Claimant D'JUAN DOMINKI HALL will be required to provide his social security number, and one of his attorneys, RANDALL P. UPSHAW or MICHAELL CREWS, will be required to supply the Automated Clearing House ("ACH") information for electronic fund transfer. Funds will only be disbursed after

receiving Claimant D'JUAN DOMINKI HALL's social security number and the ACH information for electronic deposit of the funds into the IOLTA account designated by RANDALL P. UPSHAW and/or MICHAELL CREWS. Plaintiff will return the Four Thousand Five Hundred Dollars (\$4,500.00) in U.S. currency upon entry of a final order of forfeiture order granting forfeiture to the Government, less any debt owed to the United States, any agency of the United States, or any other debt in which the United States is authorized to collect from the Claimant, including, but not limited to any debts authorized to be collected through the Treasury Offset Program.

10. Claimant, D'JUAN DOMINKI HALL further agrees that his interest in the remaining Four Thousand Five Hundred Dollars (\$4,500.00) of the Defendant Currency shall be **FORFEITED** to the United States of America pursuant to 21 U.S.C. §§ 881(a)(6). Further, any right or interest of Claimant D'Juan Dominki Hall and/or his successors and assigns in the remaining Four Thousand Five Hundred Dollars (\$4,500.00) of the Defendant Currency is hereby and forever, **EXTINGUISHED** and said interest in the Defendant Currency shall hereby be **VESTED** in the United States of America, and the United States Marshal Service, or its delegate is **AUTHORIZED** to dispose of the Defendant Currency, according to law.

11. Upon signing below, Claimant D'JUAN DOMINKI HALL does release, remise and forever discharge the United States of America and its agents, officers, employees, past and present, and all other persons, from all claims or causes of action which any claimant, and/or his assignees, agents, officers, employees and/or successors in interest had, now have or may have against Plaintiff and its agents, officers, employees, past and present, for or on account of the incidents or circumstances giving rise to the above-captioned action.

12. Claimant D'JUAN DOMINKI HALL has discussed this settlement with his counsel and is aware of his rights in this matter. The parties shall bear their own costs and attorney fees in this

matter.

**WHEREFORE**, the parties stipulate to entry of this Stipulated Consent Judgment and Final Order of Forfeiture.

Agreed as to form and substance:

BARBARA L. McQUADE  
United States Attorney

S/TERRENCE J.L. THOMPSON  
Terrence J.L. Thompson (P72445)  
Assistant United States Attorney  
211 W. Fort Street, Suite 2001  
Detroit, Michigan 48226  
Phone: (313) 226-9694  
E-mail: [terrence.thompson@usdoj.gov](mailto:terrence.thompson@usdoj.gov)

Dated: December 30, 2011

S/RANDALL P. UPSHAW (with consent)  
RANDALL P. UPSHAW (P43574)  
Attorney for Claimant D'Juan Dominki Hall  
17373 W. Twelve Mile Road  
Lathrup Village, MI 48076  
Phone: (248) 569-7776  
E-mail: [rp\\_upshaw@comcast.net](mailto:rp_upshaw@comcast.net)

Dated: December 28, 2011

S/MICHAELL CREWS (with consent)  
MICHAELL CREWS (P61508)  
17373 W. Twelve Mile Road  
Lathrup Village, MI 48076  
Phone: (248) 569-7776  
E-mail: [rp\\_upshaw@comcast.net](mailto:rp_upshaw@comcast.net)

Dated: December 28, 2011


S/D'JUAN DOMINKI HALL(see attached)  
D'JUAN DOMINKI HALL, CLAIMANT  
Dated: December 28, 2011

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CONSENT JUDGMENT AND FINAL ORDER OF FORFEITURE

IT IS SO ORDERED.

Dated: JAN 5 2012

  
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HONORABLE ROBERT H. CLELAND  
United States District Court Judge

RANDALL P. UPSHAW

Fax: 248-569-1442

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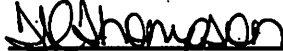
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Agreed as to form and substance:

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United States Attorney

  
TERRENCE J.L. THOMPSON (P72445)  
Assistant United States Attorney  
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Phone: (313) 226-9694  
E-mail: [terrence.thompson@usdoj.gov](mailto:terrence.thompson@usdoj.gov)


Dated: December 30, 2011

  
RANDALL P. UPSHAW (P43574)  
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Dated: December 28, 2011

  
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Dated: December 28, 2011

  
D'JUAN DOMINKI HALL, CLAIMANT  
Dated: December 28, 2011

**CONSENT JUDGMENT AND FINAL ORDER OF FORFEITURE**

IT IS SO ORDERED.

Dated: \_\_\_\_\_

HONORABLE ROBERT H. CLELAND  
United States District Court Judge